Remarks:

Reconsideration of the application is requested.

Claims 2-10 are now in the application. Claims 2-4 have been amended. Claim 1 has been cancelled. Claims 8-10 have been entered.

Support for the subject-matter of the newly entered claims 8-10 can be found in claims 5-7 as originally filed.

In the third paragraph on page 2 of the above-identified Office action, claims 1-4 have been rejected as being obvious over *Hoang et al.* (US 5,528,204) in view of *Naimpally et al.* (US 4,207,590) under 35 U.S.C. § 103.

In the second paragraph on page 3 of the Office action, claims 5-7 have been rejected as being obvious over *Takayama* (US 5,483,209) in view of *Hoang et al.* and *Naimpally et al.* under 35 U.S.C. § 103.

As will be explained below, it is believed that claim 5 was patentable over the cited art in its original form and claim 5 has, therefore, not been amended to overcome the references.

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Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 5 (similarly claim 8) calls for, inter alia:

> an AC voltage input terminal and an AC voltage output terminal;
>
> a plurality of frequency domain filter paths defined between said AC voltage input terminal and said AC voltage output terminal, and connected in parallel between a common first node and a common second node both coupled to a DC voltage connection;
>
> each of said frequency domain filter paths containing at least one bandpass filter connected in series with a ***first diode*** and a ***second diode*** connected in opposite forward direction from said first diode;
>
> said at least one bandpass filter including:
>
> ...
>
> each of said frequency domain filter paths containing a switching unit for switching said first and said second diode in said frequency domain filter path;
>
> a ***third diode*** having a first terminal connected to said first node and a ***fourth diode*** having a first terminal connected to said second node of said frequency domain filter paths, such that ***a respective cathode of said third diode and of said fourth diode is connected to anodes of said first diodes and said second diodes***, respectively;

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a load-dependent DC voltage source having a first connection and a second connection; and

said third diode and said fourth diode each having a second terminal respectively connected to said first connection and said second connection of said load-dependent DC voltage source.

On page 3 of the Office action, the Examiner stated in regards to claims 5-7, that: "Figure 1 of Takayama discloses a filter circuit with ***all*** of the limitations of the claimed invention but does not disclose the detailed structure of the filter" (emphasis added). Applicants respectfully disagree with the Examiner that *Takayama* discloses a filter circuit with ***all*** of the limitations of the claimed invention. In particular, *Takayama* does not disclose a third and fourth diode as recited in claims 5 and 8.

As can be seen from Fig. 1 of *Takayama*, *Takayama* uses a third diode 23 ***in each*** of the band filters to attenuate the TV signal (in cooperation with the diode 22) according to a AGC voltage signal. In contrast, in the invention of the instant application a third diode and fourth diode are used ***outside*** the selected frequency domain filter path to attenuate the TV signal (in combination with the diodes D1 and D2) according to a AGC voltage signal. Because the present invention of the instant application needs only two diodes within each frequency domain filter path whereas *Takayama* needs three

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diodes within each frequency domain filter path, a far better impedance matching for the incoming signal can be achieved in the present invention.

There is also a functional difference between the present invention and *Takayama* regarding where the TV signal is attenuated. In *Takayama* the TV signal is attenuated ***after*** it has left the band pass filter 21. In contrast, in the invention of the instant application the TV signal is also attenuated ***before*** it enters a band filter.

The inventive concept of the invention of the instant application is to use a first diode and a second diode in series with a regulatable attenuation element, and to connect the first diode, the second diode, and the regulatable attenuation element in parallel with a third and fourth diode. The applied references do not contain the relevant teaching which would suggest such a particular circuit configuration. Therefore, the invention as recited in claims 5 and 8 of the instant application is believed not to be obvious over the applied references.

It is accordingly believed to be clear that *Takayama* in view of *Hoang et al.* and *Naimpally et al.* do not suggest the features of claims 5 and 8. Claim 5 and 8 are therefore, believed to be patentable over the art and since claims 2-4,

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6-7, and 9-10 are ultimately dependent on claims 5 and 8, respectively, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 2-10 are solicited.

In the *Office Action Summary*, the Office action has been indicated to be non-final. The first line on page 2 of the Office action states: Non-Final. However, in the second paragraph on page 4 of the Office action, the Examiner stated that: "Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**." (emphasis and bold lettering in original).

In the last response mailed January 30, 2002, no amendment to the claims was made. Accordingly, it is assumed that the Examiner mistakenly used the wrong template in the second paragraph on page 4 of the Office action, and that the Office action is ***non***-final. Applicants attempted to contact the Examiner on August 2, 2002, and left a message on the Examiner's voice mail requesting a callback. The Examiner had not telephoned back at the time of the mailing of the response.

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Petition for extension is herewith made. The extension fee for response within a period of two months pursuant to Section 1.136(a) in the amount of $ 400.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

MARKUS NOLFF
REG. NO. 37,006

For Applicants

MN:cgm

August 5, 2002

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Version with markings to show changes made:

Claim 2 (amended). The [bandpass filter] circuit configuration according to claim [1] 5, wherein said second connection of said third parallel LC element is directly connected to the fixed reference-ground potential.

Claim 3 (amended). The [bandpass filter] circuit configuration according to claim [1] 5, which comprises a fourth capacitor connected between said second connection of said third parallel LC element and the fixed reference-ground potential.

Claim 4 (amended). The [bandpass filter] circuit configuration according to claim [1] 5, [which comprises] wherein said bandpass filter has a further capacitor having a first terminal connected to a node between said second capacitor and said inductor and a second terminal connected to the fixed reference-ground potential.

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